

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

June 24, 2008

No. 06-31269
Summary Calendar

Charles R. Fulbruge III
Clerk

KERMIT PARKER

Plaintiff-Appellant

v.

N BURL CAIN; LINDA MILLER; UNKNOWN TARVER; DORA RABALAIS;
MAJOR UNKNOWN NETTLES

Defendants-Appellees

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:03-CV-578

Before GARZA, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:*

Kermit Parker, Louisiana prisoner # 129332, alleged under 42 U.S.C. § 1983 that prison officials used excessive force and were deliberately indifferent to his medical needs. Parker appeals the district court's judgment that granted summary judgment and dismissed his claims against Major Nettles for failure to exhaust administrative remedies. Parker has not briefed any challenge to the dismissal of his claims against any defendant other than Nettles. Accordingly,

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

he has abandoned these issues. See *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993).

We review the grant of summary judgment de novo. See *Whittaker v. BellSouth Telecomms., Inc.*, 206 F.3d 532, 534 (5th Cir. 2000). A prisoner may not bring a civil rights action “until such administrative remedies as are available are exhausted.” 42 U.S.C. § 1997e(a).

Competent summary judgment evidence established, and there is no competent summary judgment evidence to the contrary, that Parker did not exhaust his administrative remedies prior to filing this action. Accordingly, the district court’s judgment is AFFIRMED.